

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
<b>Béatrice TOUMI et al.</b>	)	Group Art Unit: 1615
	)	
Application No.: 10/670,388	)	Examiner: Melissa S. MERCIER
	)	
Filed: September 26, 2003	)	Confirmation No. 2739
	)	
For: NAIL VARNISH COMPOSITION	)	
COMPRISING A BLOCK	)	
POLYMER	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICE COMMUNICATION**

Applicant has received an Office Communication mailed September 27, 2007, and asserting, "The reply filed on July 30, 2007, is not responsive to the prior Office Action because . . . Applicant has not indicated all the claims that read on the elected species, per the Election Requirement." In response to this Communication, Applicant submits the following remarks.

The elected species is a block polymer comprising a first block with a Tg of greater than or equal to 40°C and a second block with a Tg of less than or equal to 20°C, wherein the monomer from which each is derived is a methacrylate monomer of formula CH<sub>2</sub> = C(CH<sub>3</sub>)-COOR<sub>1</sub> for the first block and CH<sub>2</sub> = C(CH<sub>3</sub>)-COOR<sub>4</sub> for the second block, and wherein the block polymer further comprises at least one additional monomer chosen from acrylic acid, methacrylic acid, and trifluorethyl methacrylate and has as its cosmetically

acceptable medium at least one organic solvent chosen from alkanes that are liquid at room temperature.

The claims reading on this elected species are broad claims 1-11, 81-101, and 114-140; claims 12-15, 18, 26-30 and 33-36, drawn to the first block; claims 12, 26, 37-39, and 41-44, drawn to the second block; claims 70 and 77-80, drawn to the additional monomer; and claims 102 and 110, drawn to the organic solvent. In summary, Applicant believes claims 1-15, 18, 26-30, 33-39, 41-44, 70, 77-102, 110, and 114-140 should be examined in conjunction with the presently elected species.

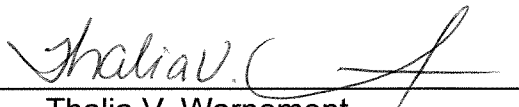
Applicant reminds the Examiner that if the elected species is found allowable it is her duty to continue to examine the full scope of the subject matter to the extent necessary to determine the patentability of claim 1. 35 U.S.C. § 121; M.P.E.P § 803.2.

If there is any fee due in connection with the filing of this paper, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 9, 2007

By:   
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